

# **EXHIBIT 18**

## **CHAPTER 8: PATROL**

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- B. Members initiating a pursuit will file a pursuit form prior to the end of the tour of duty.

9.7 **PURSUIT INTO THE CITY BY OUTSIDE AGENCIES**

When an outside law enforcement agency pursues a vehicle into the City of Buffalo:

- A. The Buffalo Police Radio Dispatcher may assign one unit to assist the outside agency;
- B. The Supervisor on duty in the locale where the pursuit terminates will respond to the site of termination;
- C. The Buffalo Police Department members involved in the chase shall be responsible for complying with all existing pursuit procedures.

**10.0 CAR STOPS**

10.1 **POLICY**

It is the policy of the Buffalo Police Department that when members stop vehicles for any police related purpose they shall do so in a manner that protects the safety of the member, the motorist, and the general public.

10.2 **INITIAL STOP**

Car stops are inherently dangerous police actions and should be undertaken with extreme caution. Members shall:

- A. Decide where there is a safe location to stop the vehicle;
- B. Activate the emergency lights and direct the vehicle's driver to pull over;
- C. Inform the Radio Dispatcher of his/her location, the license plate number, the number of occupants, and the reason for the stop;
- D. Position the police vehicle so that it is approximately three feet to the left and one car length behind the suspect vehicle with the spotlight or other lighting equipment illuminating the suspects;
- E. If necessary, order the suspects to remain inside the vehicle until directed otherwise.

10.3 APPROACHING THE VEHICLE

- A. The member's attention shall be focused on the occupants while approaching the vehicle, being alert for any suspicious or sudden movement;
- B. The member who was driving the police vehicle shall approach the suspect vehicle from the left and shall stop slightly behind the front door;
- C. In a two member police vehicle, the member riding on the passenger side shall approach the vehicle from the right and shall position himself/herself behind the suspect vehicle and slightly to its right, at all times closely monitoring back seat occupants and being aware of any suspicious or sudden movements by any of the occupants.

10.4 CONTROLLING THE DRIVER AND OCCUPANTS

- A. Department members shall immediately establish control over the driver and occupants of the suspect vehicle in a way that ensures the safety of the Officers, the vehicle's occupants, and the public.
- B. While members must always be courteous and polite, in this circumstance they must also be authoritative so that their commands to the occupants of the suspect vehicle are promptly obeyed.
- C. If it is necessary to remove occupants from the suspect vehicle, the Officer shall do so only when (s)he knows it can be done safely. If it cannot be done safely, the Officer shall request and await the arrival of assistance.
- D. Occupants who have been removed from a suspect vehicle shall be kept under control and shall not be allowed to wander.

10.5 TRAFFIC CHECKPOINTS

Members of the Department may establish traffic checkpoints but only with the express permission of a Inspector, a Chief, a Deputy Police Commissioner, or the Police Commissioner. The purpose of a checkpoint is to stop motorists and to methodically evaluate their compliance with the law. The superior officer shall document any such activity in his/her activity report, and shall also prepare a "Buffalo Police Department Traffic Checkpoint Form" (also referred to as a Roadblock Form), as directed by the DPC. The purpose of the directive is to ensure roadway safety. Officers shall:

- A. Make the traffic checkpoint (roadblock) obvious. Overhead flashing lights must be activated on all vehicles taking part in the roadblock.
- B. The traffic checkpoint (roadblock) must not be unreasonably intrusive to the motorists.

- C. Set the traffic checkpoint (roadblock) in a way that minimizes the possibility of avoiding it.
- D. Conduct a traffic stop on any vehicle that attempts to avoid the traffic checkpoint (roadblock). Officers are permitted to check the motorist for valid license, registration, and insurance documentation and also to make inquiry as to why the motorist avoided the roadblock.
- E. During the traffic checkpoint (roadblock), check all drivers and passengers for proper wearing of seatbelts.
- F. During the traffic checkpoint (roadblock), check all vehicles for proper registration and vehicle inspection stickers affixed to the windshield.
- G. Act upon any and all “probable cause” situations arising from information obtained from the “mobile plate reader” and/or from “officer initiated plain view” observations.
- H. Prepare and issue traffic summonses for any violations of law observed during the traffic checkpoint (roadblock).
- I. The traffic checkpoint (roadblock) must begin and end at the predetermined times listed on the form.
- J. All officers involved in the traffic checkpoint (roadblock) shall be given a copy of the form prior to the actual roadblock taking place.

Also to be considered and followed:

- K. The site selected shall be an area where the risk to the Officers and the public can be minimized.
- L. Check points (roadblocks) shall be established during those times of day when interference with traffic flow will be minimized.
- M. Flares, checkpoint warning signs, police vehicles with emergency lights in operation, and/or traffic cones, will be used to alert traffic of the existence of the checkpoint (roadblock) and to direct traffic to the checkpoint (roadblock) area in a safe manner.

## **11.0 EXCESSIVE AVOIDABLE ALARMS**

### **11.1 POLICY**

Avoidable alarms, including intrusion alarms, hold-up alarms, and other types of alarms, contribute to the ineffective utilization of Department personnel. They require an emergency response which jeopardizes the safety of the responding